

Re: Your request for access to information under Part 2 of *The Freedom of Information and Protection of Privacy Act*: Our File Number PMH-2020-79.

On November 14, 2020, Prairie Mountain Health received your request for access to the following records:

- Please provide data on the number of patients that died while on a waiting list for a surgical procedure in fiscal year 2019-20. Please break the data out by procedure and case info – date the patient was referred to a specialist, decision date, date for the procedure and date of cancellation. Please also note the government's target time for providing the procedure in question. (Note: many hospitals/health regions were able to identify such cases as they track the reason for cancelled operations)

I am pleased to inform you that your request for access has been granted in part. Please see the attached, which shows the number of patients that have died while on a waiting list for a surgical procedure, the type of procedure, decision date and the scheduled and cancellation date of the procedure in Prairie Mountain Health (PMH) in fiscal year 2019/2020. Please use caution when interpreting the information under the scheduled date for procedure and date of cancellation due to death columns. In some cases, the scheduled procedure date was cancelled prior to death due to other patient specific reasons. The patient was then placed back on the waiting list for the surgical procedure and the surgery date was not rescheduled prior to patient death.

The national benchmark for primary hip and knee replacement surgery is within 26 weeks, and for cataract surgery is within 16 weeks.

The information being provided is based on entry into an electronic surgical information system. The date the patient was referred to a specialist is not captured in this system. Consequently, these records do not exist in the manner in which you requested. Accordingly, your request for access to this information is refused under paragraph 12(1)(c)(i) of *The Freedom of Information and Protection of Privacy Act*.

Additionally, your request for the type of procedure is refused, as these records contain information that falls within the following exceptions to disclosure in the *Freedom of Information and Protection of Privacy Act*.

17(1) The head of a public body shall refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's privacy.

17(2) A disclosure of personal information about a third party is deemed to be an unreasonable invasion of the third party's privacy if,

(a) The personal information is personal health information.

Given the specific type of procedure or the low numbers of the type of procedure, this information along with details of dates, may identify a patient whose personal health information was collected for purposes of provision of health care.

Subsection 59(1) of *The Freedom of Information and Protection of Privacy Act* provides that you may make a complaint about this decision to the Manitoba Ombudsman. You have 60 days from the receipt of this notice to make a complaint on the prescribed form to:

Manitoba Ombudsman
750 - 500 Portage Avenue
Winnipeg MB R3C 3X1
982-9130
1-800-665-0531

Sincerely,

A handwritten signature in black ink that reads "Rachel Casavant". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rachel Casavant
Access and Privacy Coordinator - Prairie Mountain Health
204-622-4155

RC/mp

Number of Patients that have Died While on a Waiting List for a Surgical Procedure in 2019/20

| Number of Patients | Type of Procedure | Decision Date | Scheduled Date for Procedure | Date of Cancellation due to Death |
|--------------------|-------------------|--------------------|------------------------------|-----------------------------------|
| 1 | Knee surgery | December 11, 2017 | February 9, 2019 | March 6, 2019 |
| 2 | Knee surgery | January 17, 2019 | No surgery date scheduled | June 25, 2019 |
| 3 | Knee surgery | February 19, 2019 | No surgery date scheduled | November 13, 2019 |
| 4 | Knee surgery | April 9, 2019 | No surgery date scheduled | September 1, 2020 |
| 5 | Knee surgery | June 19, 2019 | No surgery date scheduled | December 20, 2020 |
| 6 | Knee surgery | August 9, 2019 | No surgery date scheduled | August 18, 2020 |
| 7 | Knee surgery | March 5, 2020 | No surgery date scheduled | June 18, 2020 |
| 8 | Knee surgery | December 21, 2018 | June 3, 2019 | July 4, 2019 |
| 9 | Knee surgery | December 3, 2019 | No surgery date scheduled | September 16, 2020 |
| 10 | 17(1), 17(2)(a) | December 19, 2018 | March 12, 2019 | February 25, 2019 |
| 11 | 17(1), 17(2)(a) | March 20, 2019 | No surgery date scheduled | May 28, 2019 |
| 12 | Cataract | March 30, 2019 | No surgery date scheduled | November 6, 2019 |
| 13 | Cataract | July 25, 2019 | November 27, 2019 | February 28, 2020 |
| 14 | Cataract | November 23, 2019 | No surgery date scheduled | October 13, 2020 |
| 15 | Cataract | September 9, 2019 | No surgery date scheduled | November 12, 2019 |
| 16 | Cataract | October 28, 2019 | No surgery date scheduled | January 7, 2020 |
| 17 | Cataract | March 4, 2019 | March 3, 2019 | July 18, 2019 |
| 18 | 17(1), 17(2)(a) | May 15, 2019 | No surgery date scheduled | June 10, 2019 |
| 19 | 17(1), 17(2)(a) | May 27, 2019 | No surgery date scheduled | August 2, 2019 |
| 20 | 17(1), 17(2)(a) | June 24, 2019 | No surgery date scheduled | November 13, 2019 |
| 21 | 17(1), 17(2)(a) | September 30, 2019 | No surgery date scheduled | November 18, 2020 |
| 22 | 17(1), 17(2)(a) | August 14, 2019 | No surgery date scheduled | October 3, 2019 |
| 23 | 17(1), 17(2)(a) | October 9, 2019 | No surgery date scheduled | January 13, 2020 |
| 24 | 17(1), 17(2)(a) | November 8, 2019 | No surgery date scheduled | November 27, 2019 |
| 25 | 17(1), 17(2)(a) | October 25, 2019 | No surgery date scheduled | October 27, 2020 |
| 26 | 17(1), 17(2)(a) | December 9, 2019 | No surgery date scheduled | September 1, 2020 |
| 27 | 17(1), 17(2)(a) | February 29, 2020 | March 19, 2020 | May 25, 2020 |
| 28 | 17(1), 17(2)(a) | April 26, 2018 | No surgery date scheduled | April 29, 2019 |
| 29 | 17(1), 17(2)(a) | March 25, 2019 | No surgery date scheduled | May 14, 2019 |
| 30 | 17(1), 17(2)(a) | December 10, 2019 | No surgery date scheduled | December 17, 2019 |
| 31 | 17(1), 17(2)(a) | December 19, 2019 | No surgery date scheduled | January 21, 2020 |
| 32 | 17(1), 17(2)(a) | July 4, 2019 | No surgery date scheduled | September 6, 2019 |
| 33 | 17(1), 17(2)(a) | October 9, 2019 | No surgery date scheduled | November 18, 2019 |